

SEP 25 2008

Modified PTO/SB/22 (11-00)

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|---|--------------------|------------------------|-------------------------|---------------------|
| PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) | Inventor(s) | Nigel P. Smith | | |
| | Title | OVERLAY METROLOGY MARK | | |
| | Serial No. | 10/549,863 | Filed | DECEMBER 8, 2006 |
| | Examiner | WILLIAM D. COLEMAN | Group Art No. | 2823 |
| | Docket No. | NAN154 (8026) | Confirmation No. | 7198 |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application.

The requested extension and appropriate non-small entity fee are as follows (check time period desired):

- ☒ One month (37 CFR 1.17(a)(1)) \$120.00
☐ Two months (37 CFR 1.17(a)(2)) \$460.00
☐ Three months (37 CFR 1.17(a)(3)) \$1050.00
☐ Four months (37 CFR 1.17(a)(4)) \$1,640.00
☐ Five months (37 CFR 1.17(a)(5)) \$2,230.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$_____.

☒ A Fee Transmittal (PTO/SB/17) is attached to this submission.

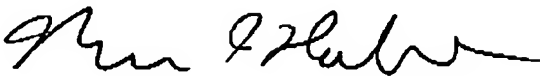
☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card (PTO 2038).

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account Number 50-2263.

The undersigned is the attorney of record.

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| Name (Print/Type) | Michael J. Halbert | Registration No. (Attorney/Agent) | 40,633 |
| Signature |  | | Date September 25, 2008 |